

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DEVIN T. BAGWELL,	§
	§ No. 704, 2009
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID Nos. 0709029775,
Plaintiff Below,	§ 0711018511 and 0710012964
Appellee.	§

Submitted: December 17, 2009

Decided: January 6, 2010

**ORDER**

This 6<sup>th</sup> day of January 2010, it appears to the Court that, on December 7, 2009, the Clerk issued a notice to appellant to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to file his notice of appeal in a timely manner. The appellant has failed to respond to the notice to show cause within the required ten-day period; therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice